

ERIC GRANT
United States Attorney
JEFFREY A. SPIVAK
CODY S. CHAPPLE
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS MARQUEZ RETANA,

Defendant.

CASE NO. 1:25-CR-00138-JLT-SKO

**STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE AND EXCLUDE TIME**

The parties stipulate as follows:

1. A grand jury indicted the defendant on July 17, 2025, charging him with one count of violating 18 U.S.C. § 666(a)(1), theft concerning programs receiving federal funds. The Court ordered the defendant released on conditions and a status conference is presently set for September 17, 2025, with time excluded to that date.

2. Th government produced initial discovery on July 25, 2025, and supplemental discovery on August 13, 2025. Discovery consists of approximately 190,000 pages of documents and other items.

3. Now, the parties agree to continue the status conference from September 17, 2025, to February 4, 2026, to further provide defendant with reasonable time necessary for effective preparation, so that the defendant can review the discovery, and for defendant to consider a pre-trial resolution of the case.

4. The parties agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. The parties also agree that the period from September 17, 2025, through February 4, 2026, should be excluded. Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS SO STIPULATED.

Dated: September 9, 2025

MICHELE M. BECKWITH
Acting United States Attorney

/s/ Cody Chapple

Jeffrey Spivak
Cody Chapple
Assistant United States Attorneys

Dated: September 9, 2025

/s/ Kevin P. Rooney

Kevin P. Rooney
Counsel for Nicholas M. Retana

ORDER

The Court has read and considered the parties' stipulation to continue the status conference and exclude time. The Court finds there is good cause for the continuance so as to allow the defendant reasonable time to complete his review of the discovery and fully consider a pre-trial resolution of the case. The Court also finds that the interests of justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial.

Therefore, for good cause shown:

1. The status conference is continued from September 17, 2025, until **February 4, 2026, at 1:00 p.m. before Magistrate Judge Sheila K. Oberto;**
2. The period from September 17, 2025, through February 4, 2026, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv); and
3. The parties shall select a mutually agreeable trial date at the February 4, 2026, status conference.

IT IS SO ORDERED.

Dated: **September 9, 2025**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE